

REGULAR MEETING HELD ON TUESDAY, MAY 7, 2013

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:04 p.m.

2. ROLL CALL Freeholder Crabb; Freeholder Graham; Freeholder Mudrick;
Freeholder Phoebus; Freeholder Director Vohden;
John Eskilson, County Administrator; Dennis McConnell,
County Counsel; Elaine Morgan, Clerk

3. MOMENT OF SILENT PRAYER AND SALUTE TO THE FLAG

4. PUBLIC STATEMENT

"Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975 Adequate Notice as defined by Section 3D of Chapter 231, P.L. 1975, has been made by regular mail, such notice being submitted on April 8, 2013 from the Administrative Center of the County of Sussex, located at One Spring Street, Newton, New Jersey to the following:

New Jersey Herald	WSUS Radio
New Jersey Sunday Herald	WNNJ Radio
Star Ledger	

and is also posted on the bulletin board maintained in the Administrative Center for public announcements and has been submitted to the Sussex County Clerk in compliance with said Act."

5. PUBLIC HEARINGS

There were no Public Hearings.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations/Certificates

1. Proclamation designating May 9, 2013 as "National Children's Mental Health Awareness Day".

274-2013

2. Proclamation designating the week of May 13, 2013 as "Relay for Life Days".

275-2013

3. Proclamation designating the month of May as "Older Americans Month".

276-2013

Freeholder Crabb added a Proclamation:

4. Proclamation celebrating the 100th Anniversary of the Borough of Franklin.

277-2013

MOTION made by Freeholder Mudrick to approve these Proclamations, seconded by Freeholder Phoebus and passed unanimously.

7. PUBLIC SESSION FROM THE FLOOR

(Please note: Everyone is asked to keep their comments to 5 minutes or less)

MOTION made at 5:25 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

Comment from David Fanale

David Fanale of Franklin came forward; he said that he looked into the specifics of Resolution 12.D. and gave his opinion of his findings; he concluded by asking the Board for further consideration before they voted on Resolution 12.D.

The Board thanked Mr. Fanale for his comments.

MOTION made at 5:29 p.m. by Freeholder Graham to close the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

8. FREEHOLDERS' COMMENTS

Comments from Freeholder Crabb

- **100th Anniversary of the Borough of Franklin**

Freeholder Crabb thanked the Board for its consideration of the Proclamation celebrating the Borough's 100th Anniversary; he gave a brief history of the Borough.

- **Relay for Life**

Freeholder Crabb commended Hank Pomerantz for his hard work and dedication throughout the years of the "Relay for Life" and encouraged everyone to attend.

Comments from Freeholder Phoebus

- **Vision 20/20**

Freeholder Phoebus attended a Vision 20/20 meeting with County Administrator, John Eskilson, and the County Planner, Eric Snyder; the County is working with the Economic Development Partnership on identifying areas in the County's municipalities that might want to see some type of economic growth as far as ratables are concerned. Freeholder Phoebus also attended a meeting in Sparta with Senator Oroho, Assemblyman Space and Assemblywoman McHose and brought up this topic and they are very willing to work with the County.

Comments from Freeholder Graham

- **Liaison to Sheriff's Department**

As Liaison, Freeholder Graham had an opportunity to meet with Sheriff Strada to get more of an understanding of the Sheriff's Department along with its needs and to look into the study that the County is working on.

- **Sussex County Library**

Freeholder Graham had a chance to tour the Main Library.

Comments from Freeholder Mudrick

- **Department of Engineering and Planning**

Freeholder Mudrick commended Department Head, Walter Cramp, for all of his dedicated background work in getting Resolution 13.A.1 on the Agenda this evening.

Comments from Freeholder Vohden

- **Sussex County Chamber of Commerce**

Freeholder Vohden attended the Chamber's Family Fest and participated in the pie-throwing contest; the Health Department and the Sheriff's Office both had booths at the event.

- **Legislative Update**

Freeholder Vohden attended the Legislative Update with Senator Oroho, Assemblywoman McHose and Assemblyman Space where they discussed the issues and answered questions.

9. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS
278-2013

- B. RESOLUTION RE: AUTHORIZATION TO PROVIDE SPECIALIZED BRIDGE ENGINEERING SERVICES FOR VARIOUS SUSSEX COUNTY BRIDGE PROJECTS (Resolution authorizes this purchase from Genesis Engineering, LLC, in the amount of \$170,000.00)
279-2013

- C. RESOLUTION RE: AUTHORIZING THE EXECUTION OF A RELEASE WITH NATIONAL LIABILITY AND FIRE INSURANCE COMPANY INSURER OF SUSAN GAY DBA JADE CONSTRUCTION (Resolution authorizes the acceptance of the settlement of \$5,000.00 and authorizes the County Administrator to execute the Release)
280-2013

- D. RESOLUTION RE: AUTHORIZATION TO SUBMIT AND PROCESS AN APPLICATION FOR THE ENTIRE LENGTH OF COUNTY ROUTE 560 UNDER THE NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY'S FY 2014 LOCAL SAFETY AND HIGH RISK RURAL ROADS PROGRAM
281-2013

- E. RESOLUTION RE: AUTHORIZATION TO SUBMIT AND PROCESS AN APPLICATION FOR COUNTY ROUTE 519 BETWEEN MILEPOST 65.78 AND MILEPOST 69.96 UNDER THE NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY'S FY 2014 LOCAL SAFETY AND HIGH RISK RURAL ROADS PROGRAM
282-2013

The Board of Chosen Freeholders of the County of Sussex has reviewed the Consent Agenda consisting of various proposed Resolutions and determined that adoption of the said Resolutions is in and will further the public interest.

MOTION made by Freeholder Mudrick to approve the Financial Consent Agenda, seconded by Freeholder Graham.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

10. **APPROVAL OF MINUTES** Regular Meeting April 24, 2013

Release of Executive Session

A portion of Regular Meeting March 27, 2013

Regular Meeting April 10, 2013

MOTION made by Freeholder Crabb to approve these Minutes, seconded by Freeholder Phoebus and passed unanimously with Freeholder Graham abstaining from the release of the Executive Sessions.

11. **APPOINTMENTS AND/OR RESIGNATIONS**

There were no Appointments and/or Resignations.

12. **RESOLUTIONS**

- A. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 517 IN
283-2013 OGDENSBURG BOROUGH (Resolution provides this closure for the Ogdensburg First Aid Squad 5K event on June 15, 2013)
- B. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 519 IN THE
284-2013 TOWNSHIP OF HAMPTON AND IN THE TOWN OF NEWTON FOR A 5K RUN ON MAY 11, 2013
- C. RESOLUTION RE: OPPOSITION TO SENATE BILL 2528 AND PROPOSED
285-2013 EXEMPTION FROM SOURCE SEPARATION REQUIREMENTS
- D. RESOLUTION RE: SUPPORTING SUSTAINABLE STATE FUNDING FOR
PULLED – NO PRESERVATION AND STEWARDSHIP OF OPEN
ACTION TAKEN SPACE, PARKS, FARMLAND AND HISTORIC SITE IN NEW JERSEY

Mr. Eskilson requested that Resolution 12.D. be pulled for additional research.

Freeholder Vohden agreed that this Resolution should be pulled from the Agenda for possible consideration in the future.

MOTION made by Freeholder Graham to pull Resolution 12.D., seconded by Freeholder Phoebus and passed unanimously.

MOTION made by Freeholder Crabb to adopt Resolutions 12.A. through 12.C., seconded by Freeholder Phoebus and passed unanimously.

13. **AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS**

- A. Awards of Contracts
 - 1. RESOLUTION RE: AWARDING A CONTRACT TO PICKERING,
286-2013 CORTS & SUMMERSON, INC. TO PROVIDE ENGINEERING SERVICES FOR THE REHABILITATION OF SUSSEX COUNTY BRIDGE V-39 CARRYING COUNTY ROUTE 642 OVER WALLKILL RIVER IN THE TOWNSHIPS OF VERNON AND WANTAGE PURSUANT TO N.J.S.A. 40A:11-4.1 (Resolution awards this Contract in the total lump sum of \$76,674.02)
 - 2. RESOLUTION RE: AWARD OF CONTRACT FOR THE RE-

287-2013

ADVERTISEMENT OF HOUSEKEEPING AND JANITORIAL SERVICES FOR SELECTED SUSSEX COUNTY BUILDINGS (Resolution awards this Contract to the apparent lowest bidder, Chelbus Cleaning Company, in the amount of \$21,540.00)

- 3. **288-2013** RESOLUTION RE: AWARD OF CONTRACTS FOR BITUMINOUS CONCRETE, AGGREGATES AND BROKEN STONE FOR THE COUNTY OF SUSSEX DIVISION OF PUBLIC WORKS 2013-2014 (Resolution awards these Contracts to the low bidder for each item based on location and per ton mile hauled)

MOTION made by Freeholder Crabb to adopt these Resolutions, seconded by Freeholder Graham.

Freeholder Crabb questioned why Resolution 13.A.2 was re-advertised.

Mr. McConnell explained that there was a problem with some bonding, so the County had to put it out to bid again.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

14. FINANCIAL

- A. **289-2013** RESOLUTION RE: AMENDING THE 2013 CAPITAL BUDGET

MOTION made by Freeholder Crabb to adopt this Resolution, seconded by Freeholder Phoebus.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

B.

INTRODUCTION FOR FIRST READING – BOND ORDINANCE

ORDINANCE RE: 290-2013 BOND ORDINANCE PROVIDING FOR VARIOUS 2013 CAPITAL IMPROVEMENTS, BY AND IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY APPROPRIATING \$11,020,800.00 THEREFOR AND AUTHORIZING \$10,496,000.00 BONDS OR NOTES OF THE COUNTY TO FINANCE PART OF THE COSTS THEREOF

MOTION to adopt this Bond Ordinance on first reading made by Freeholder Crabb, seconded by Freeholder Phoebus.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

MOTION to authorize the Clerk to advertise this Bond Ordinance as introduced for first reading, and also post same on the bulletin board in the lobby of the County Administrative Center, together with a Notice of Public Hearing stating that a hearing will be held on May 22, 2013 at 5:00 pm prior to final adoption of this Bond Ordinance made by Freeholder Crabb, seconded by Freeholder Graham and passed unanimously.

C.

INTRODUCTION FOR FIRST READING – BOND ORDINANCE

ORDINANCE RE: BOND ORDINANCE PROVIDING FOR VARIOUS 2013 GENERAL CAPITAL IMPROVEMENTS AT THE SUSSEX COUNTY TECHNICAL SCHOOL, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY APPROPRIATING \$1,280,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,280,000.00 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING SUCH APPROPRIATION, AND AUTHORIZING A PUBLIC HEARING TO BE HELD WEDNESDAY, MAY 22, 2013 AND AUTHORIZING PUBLICATION THEREOF

MOTION to adopt this Bond Ordinance on first reading made by Freeholder Crabb, seconded by Freeholder Graham.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

MOTION to authorize the Clerk to advertise this Bond Ordinance as introduced for first reading, and also post same on the bulletin board in the lobby of the County Administrative Center, together with a Notice of Public Hearing stating that a hearing will be held on May 22, 2013 at 5:00 pm prior to final adoption of this Bond Ordinance made by Freeholder Crabb, seconded by Freeholder Graham and passed unanimously.

15. PERSONNEL

- A. Personnel Agenda (No Personnel Agenda for this meeting)

16. ADMINISTRATIVE REPORT

- A. Other

There was no Administrative Report.

17. COUNTY COUNSEL

- A. Capital Projects

- B. Litigation
- C. Contract
- D. Other Matters

Mr. McConnell said that he had one item for Closed Session and that's the contract regarding the County's Solar Program and possible potential litigation regarding same.

18. UNFINISHED BUSINESS

There was no Unfinished Business.

19. NEW BUSINESS

There was no New Business.

20. PUBLIC SESSION FROM THE FLOOR

(Please note: Everyone is asked to keep their comments to 5 minutes or less)

MOTION made at 5:47 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

Comment from David Fanale

David Fanale of Franklin came forward; over the last six months Mr. Fanale has been attending a lot of lectures and seminars and listening to the complaints of citizens who are coming up against some tough elected officials in Union, Hudson and Essex; he thanked this Board for its accessibility and for being able to speak his mind without it being held against him.

MOTION made at 5:50 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

21. EXECUTIVE SESSION

MOTION made at 5:51 p.m. by Freeholder Crabb to go into Executive Session regarding the County's Solar Program and potential litigation, seconded by Freeholder Graham and passed unanimously.

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Freeholder Vohden announced the Reminders before going into Executive Session.

Freeholder Vohden said there was a meeting tomorrow, Wednesday, May 8th, of the Sussex County League of Municipalities at Bella Italia, Route 206 in Andover and there will be an open discussion of County Unified Emergency Communications and Dispatch.

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**RESOLUTION RE: REQUESTING EXECUTIVE SESSION
292-2013**

- A. Personnel
- B. Contract
- C. Litigation
- D. Other Matters

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Sussex County Board of Chosen Freeholders that the public interest will no longer be served by such confidentiality.

MOTION made at 7:03 p.m. by Freeholder Mudrick to come out of Executive Session and return to Open Session, seconded by Freeholder Graham and passed unanimously.

Freeholder Vohden announced there was no action taken during the Executive Session.

22. REMINDERS

Handled earlier in the meeting.

Wednesday May 22, 2013 Regular Meeting 5:00 pm

23. ADJOURNMENT

MOTION made at 7:04 p.m. by Freeholder Mudrick to adjourn, seconded by Freeholder Phoebus and passed unanimously.

Elaine A. Morgan, Clerk

DATED: May 7, 2013